

Notice of Allowability

Application No.

10/809,955

Examiner

Helene Klemanski

Applicant(s)

OGAWA ET AL.

Art Unit

1755

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed September 8, 2006.
2. ☒ The allowed claim(s) is/are 1-9.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

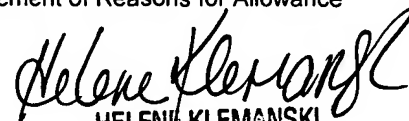
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


HELENE KLEMANSKI
PRIMARY EXAMINER
GROUP 1700

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: This application teaches an ink set comprising at least two kinds of inks, each of the at least two kinds of inks comprising triethyleneglycol and having a common hue and different densities, and containing an aqueous medium and a dye, wherein each of the at least two kinds of inks has a corresponding discoloration velocity constant (k) for an image printed with each one of the at least two kinds of inks, a ratio defined by a minimum value (k_{\min}) selected from among said corresponding constants divided by a maximum value (k_{\max}) selected from among the corresponding constants, is within a range of 0.7 to 1 and in inks having the same hue, the content of a specific water-soluble organic solvent in the ink having a low concentration of dye is less than the content of the specific water-soluble organic solvent in the ink having a high concentration of dye. The closest prior art of record is WO 2003/082994, EP1384762, U.S. Patent No's. 6,874,882 and 6,939,399, issued to Taguchi et al. and Yabuki et al. respectively and U.S. Patent Application Publication 2005/0174409, issued to Taguchi. All the above references teach ink jet ink set comprising both light and dark inks but fail to teach or fairly suggest that each ink contains triethyleneglycol or an ink set in which, in inks having the same hue, the content of a specific water-soluble organic solvent in the ink having a low concentration of dye (i.e. light ink) is less than the content of the specific water-soluble organic solvent in the ink having a high concentration of dye (i.e. dark ink) as claimed by applicants. Furthermore, applicants have provided evidence in the specification (see Table 23 on page 215 of the specification) that the combination of triethyleneglycol and

the content of the specific water-soluble organic solvent in both the light (i.e. lower content) and dark inks (i.e. higher content) of the instant claims provides a superior image even after forced discoloration tests in an ozone atmosphere as compared to the ink sets of the above references. Accordingly, applicants showing of unobviousness and unexpected results have overcome any possible 103(a) rejection and the application is allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

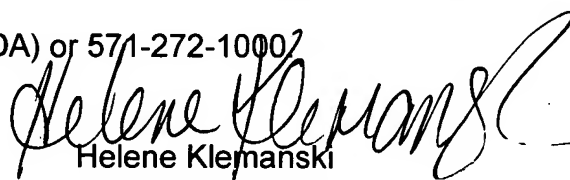
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helene Klemanski whose telephone number is (571) 272-1370. The examiner can normally be reached on Monday-Friday 5:30-2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry Lorengo can be reached on (571) 272-1233. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Helene Klemanski
Primary Examiner
Art Unit 1755



HK
October 30, 2006